

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 30-45, 47-48, 50-51, 53-56 are rejected under 35 U.S.C. 102(b) over the patent to Campbell.

Claims 30-38, 41-49 and 51-58 are rejected under 35 U.S.C. 102(b) over the European patent document to Junkers.

Also, the claims are rejected under 35 U.S.C. 112.

In connection with the Examiner's rejection of the claims, applicant amended claim 30, the broadest claim on file, as well as other claims.

It is respectfully submitted that the new features of the present invention in amended claim 30 and patentably distinguish the present invention from the prior art applied by the Examiner.

Before the analysis of the prior art it is believed to be advisable to analyzed claim 30, the broadest claim on file. This claim specifically defines that in the fastener in accordance with the present invention the nut has an inner thread with which it is threadingly connected with the threaded portion of the rod, the washer is located underneath the nut, the axial outer surface of the body of the washer is in contact with the surface of the nut, and the inner segment of the washer cooperates with the non-thread portion of the rod with friction between the inner segment and the non-thread portion of the rod created by the means located between the body and the inner segment.

Turning now to the references applied by the Examiner and in particular to the patent to Campbell, it can be seen that in this reference the nut which is identified by the Examiner as a composite component 6, 8, 12 does not have an inner thread connected with an outer thread of the rod. The washer which is identified by the Examiner as a composite component 16, 22, 20 is not located underneath the nut 6, 8, 12 but instead radially inwardly of the nut. The axial outer surface (upper surface in Figure 1a of the reference) of the body of the washer in the reference is not in contact with the lower outer surface of the nut 6, 8, 12. The inner segment 22 of the

washer 16, 22, 20 of the reference is not in frictional contact with the non-thread portion of the rod.

It is therefore believed to be clear that this reference does not teach the new features of the present invention as defined in the amended claim 30.

The European patent document EP 316 discloses a fastener with a rod, a nut, and a washer having a body and an inner segment cooperating with the rod. As clearly disclosed in the reference, the washer provided in the reference is configured to cooperate with the thread portion of the rod. In contrast, in the present invention as defined in claim 30, the inner segment is configured to cooperate with a non-thread portion of the rod located underneath the thread portion of the rod. Thus, this reference also does not teach the new features of the present invention which are defined in the amended claim 30.

Also, this reference does not teach the new features of the present invention as defined for example in claims 34-38, and other claims.

The original claims were rejected over the references under 35 U.S.C. 102(b). In connection with this it is believed to be advisable to cite the decision in re Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) in which it was stated:

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Definitely, the references do not disclose each and every element of the present invention as defined in the above specified claims.

Therefore it is believed that the rejection of the claims should be considered as no longer tenable and should be withdrawn.

Reconsideration of the present application with the claims related to the fastener, and its allowance is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be

carried out by Examiner's Amendment, and the case be passed to issue.
Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,


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